

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

Applicant(s): Yang, et al.

Serial No.: 09/921,013

Group Art Unit: 1638

Filed: July 27, 2001

Examiner: Vera Aframova

For: NOVEL MICROORGANISM ISOLATED FROM CHINESE ELM(ULMUS
SP.) AND PROCESS FOR PREPARING EXOPOLYSACCHARIDES BY
EMPLOYING THE MICROORGANISM

To: Honorable Commissioner of
Patents and Trademarks
Washington, D. C. 20231

DECLARATION

I, Young Joo Kim, do hereby declare as follows:

1. I am one of co-inventors of the above-identified patent application. I make this declaration in support of this application.

2. I received a Ph.D. in the Department of Chemical Engineering from Rensselaer Polytechnic Institute in 1993. Since 1995, I have been employed in Samsung Advanced Institute of Technology as a Senior Researcher in Kiheung, Korea.

3. I have declared in my declaration submitted to the U.S. Patent and Trademark Office on May 27, 2003 that I had the bacterial species first referred to as "BSID-805-1"

submitted to the Korian Collection for Type Culture, under accession(deposition) No. KCTC 0687B? on Nov. 3, 1999, and the Fatty Acid Analysis Result Report of the "BSID-805-1" was attached thereto as an Appendix B. In this regard, I swear that the description of "BSID-805-1" was a typographical error, which should be replaced by "BSID-807-1".

The error was caused by a misdescription in the Fatty Acid Analysis Result Report, which is supported in a sense that: the Receipt No. BSID-807-1 does not coincide with No. BSID-805-1 in the Result; however, the attached Data are that of BSID-807-1; and, therefore, it is any of doubt that the BSID-805-1 is a typographical error.

5. I declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the above-identified application or any patent resulting therefrom.

Respectfully submitted,

Date: Nov. 20, 2003

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